AMENDMENTS TO THE DRAWINGS

Please amend Figs. 11 and 12 by adding the legend "PRIOR ART" to each Figure as shown on the accompanying annotated drawing sheets and on the accompanying replacement drawing sheets.

REMARKS

The foregoing amendments in the drawings add the notation "PRIOR ART" to reflect, as the Examiner correctly notes, that Figures 11 amd 12 show prior art constructions.

The foregoing amendment in claim 6 corrects an inadvertent typographical error, change "one other" to "one another." This amendment overcomes the Section 112, second paragraph, rejection of this claim.

Independent claims 6 and 9 define a recording medium, e.g., a CD or a DVD, with track areas formed on adjacent lands (claim 6), or adjacent grooves (claim 9). The claimed construction can be visualized with reference to Fig. 7(a). L1 and L2 in Fig. 7(a) are these adjacent "first and second" track areas. The adjacent land tracks each have a wobbled side wall that face one another across a common wobbled groove (G1 in Fig. 7(a) that itself is not a track area In an alternative embodiment where the track areas are grooves, the adjacent groove tracks each have a wobbled side wall separated by a common wobbled land.

In addition, in both the claim 6 land/track embodiment and the claim 9 groove/track embodiment, each track area has an opposite side wall that is not wobbled (e.g., at "G2" in Fig. 7(a)). Moreover, this construction is used on portion of the recording medium to provide an adjusting area. The "adjusting area" is not a portion of any one track; it is the overall construction, e.g. a shown in Fig. 7A, extending over a portion of the recording medium. For a disk recording medium, this adjusting area is an innermost or outermost portion of the disc as shown by the annular areas 12 in Fig. 8, and described at page 41, lines 12-25.

Dependent claims 7 and 10 have been amended to make it clear that, in this adjusting area, the first and second track areas are also characterized by having different track widths. The newly inserted limitation makes it clearer that the widths of the tracks at any position along the tracks are always different. This is meant to more clearly differentiate over the prior art "notches" on a single land track. This claimed

difference in track widths creates an amplitude difference in the signals produced by the two tracks that aids in distinguishing them. See Fig. 9 and page 43, line 11, to page 44, line 9, and page 46, lies 5-12.

Applicant respectfully traverses the rejection of claims 6-11 under 35 U.S.C. 102(b) as anticipated by Fuji (U.S. Patent No. 5,852,599). In sharp contrast to the present claimed invention, adjacent track areas in Fuji are grooves 2 or 9 and lands 3 or 6. No adjacent tracks in the Fuji construction have wobble walls spaced from one another by a common groove or land that is not itself a track. The construction of Fuji is therefore fundamentally different from the construction claimed by Applicant. The Section 102(b) rejection must fall on this basis alone; the Fuji reference does not teach (or suggest) "first and second track areas formed as adjacent first and second lands that each have a wobble wall spaced from one another by a groove that is not itself a track area."

The differences in the claimed construction and the Fuji reference are also clear from the requirement in all of the pending claims that the first and second land track areas (claim 6) each have a wobble wall and these wobble walls are spaced from each other by a groove that is not itself a track area. Referring again to exemplary Fig. 7(a), this defines the grooves G1, and the wobbling walls on either side of this groove associated in land track areas L1 and L2.

Fuji has no such construction. The Examiner points to lands 6, each with wobble walls 4, spaced by grooves 9 as teaching the claimed construction. But land 6, or land 3, is one track; the adjacent groove 9, or groove 2, is another track. There is no groove in Fuji that is not itself a track. There is no groove in Fuji that separates two opposite wobble walls of lands that are tracks.

Groove 9, at Col. 7, lines 9-13, is described as tracked by a light beam to produce a signal. Also see Col. 8, lines 45-50, with respect to land 3 and adjacent groove 2. Col. 11, top, specifies that CPU 31 selects "either the land or the groove." At Col. 11, lines 49-51, a distinguishing circuit 33 distinguishes between a land and a

groove. And at Col. 13, lines 57-58, refer to "the land as the first track area and the groove as the second track area ..." This Fuji construction uses a land track and an adjacent groove track supported by a single wobble wall. This is not the Applicant's claimed construction; it is fundamentally different from the Fui construction.

Whether or not Fuji uses notches 5, 64, 65 is irrelevant to this analysis. The present or absence of notches does not change the basic construction of the Fuji tracks and grooves, which is directly contrary to the present claimed construction.

The reference in the claims to an "adjusting area" appears to have confused this distinction. As noted above, Applicant shows (in Fig. 8) and describe the adjusting area as an region of the recording medium (circular areas 12 in Fig. 8) occupied by the construction shown in Fig. 7 (a), or the other groove track or unequal width track width embodiments described, illustrated and claimed in the present application.

The Examiner argues that the claimed "adjusting area" can be the Fuji notches 5, 5', 5", 64 or 65. However, the adjusting area in the present invention is a portion of the disc where a track determination is made based on wobbling polarity of the tracks, (or with the Fig. 9 embodiment, wobbling polarity and signal amplitude), not the presence of a notch in a track wall.

The Examiner cites the timing diagrams of Figs. 5(a) and 5(b) and associated discussion at Col. 13. What these Figures show is the wobble pattern generated by one wall between a land and a groove. Applicant's claims specify two wobble walls each associated with a different, adjacent land track (claims 6-8) or with a different adjacent groove track (claims 9-11). The notches are used in Fuji in conjunction with the one wobble wall to differentiate between a land track and a groove track on opposite sides of the one wobble wall. This is not Applicant's structure or Applicant's mode of operation.

In rejecting claim 7, the Examiner cites Fig. 18 and its notches 64,65 (characterized by the Examiner as "adjusting areas") located at positions along the wobble walls associated with differing widths of the adjoining track. Whenever a track has a wobbled side wall, its thickness will vary; notches alone do not create this condition. Claim 7 is directed to Applicant's Fig. 9, not Fig. 7, or Fuji Fig. 1. While Applicant believes that read in light of the specification and drawings, the intended meaning of claim 7 is clear, the present amendments in claims 7 and 10 make it clearer that these claims define the construction shown in Applicant's Fig. 9. The Fuji notches cannot meet this limitation of always unequal track widths, even if one assumes that in Fuji notches are an "adjusting area" as defined and claimed by Applicant.

In rejecting claim 8, the Examiner appears to argue that a Fuji notch can be interpreted as "adjusting area," and then notes that the notches exist "in the inner track and the outer track." It is correct that the notches are found regularly and continuously along the wobble walls. They, however, are not the adjusting area as described and claimed by Applicant for the reasons discussed above.

Applicant's comments on claims 9-11 parallel those with respect to claims 6-8.

In view of the foregoing amendments and remarks, Applicant urges that the pending claims define clear and important differences over the art of record, and that this Applicant is in condition for allowance, which is respectfully solicited.

Dated: December 7, 2006

Respectfully submitted,

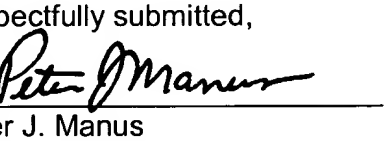
By 

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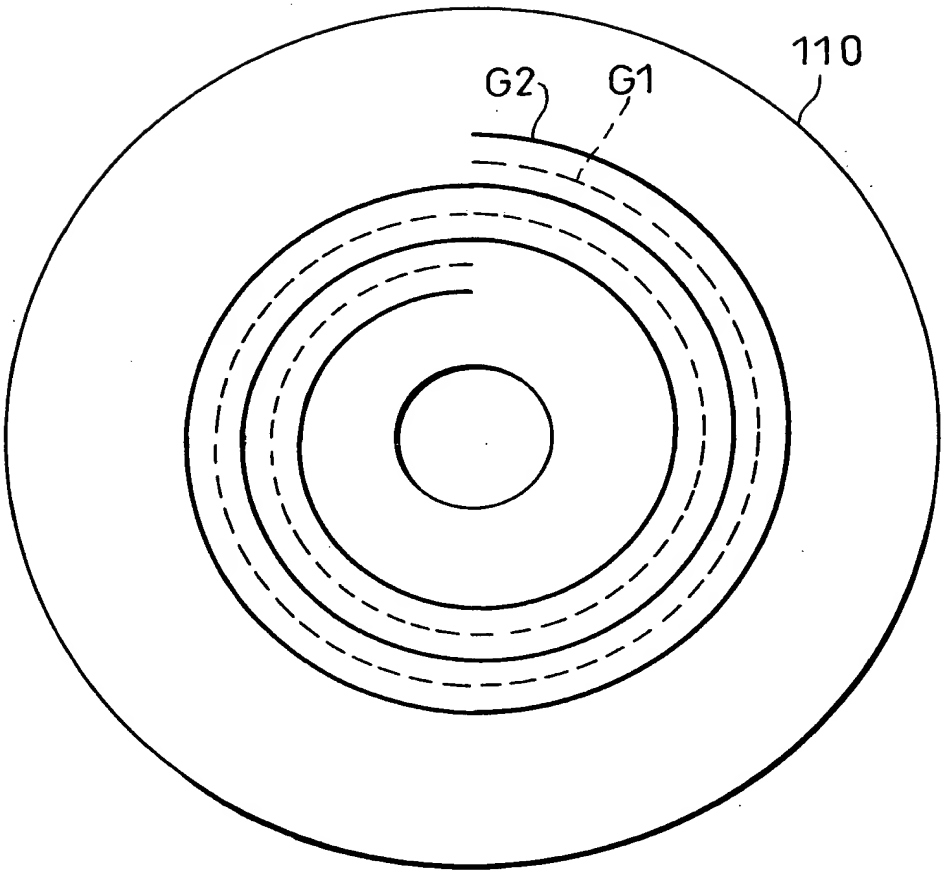
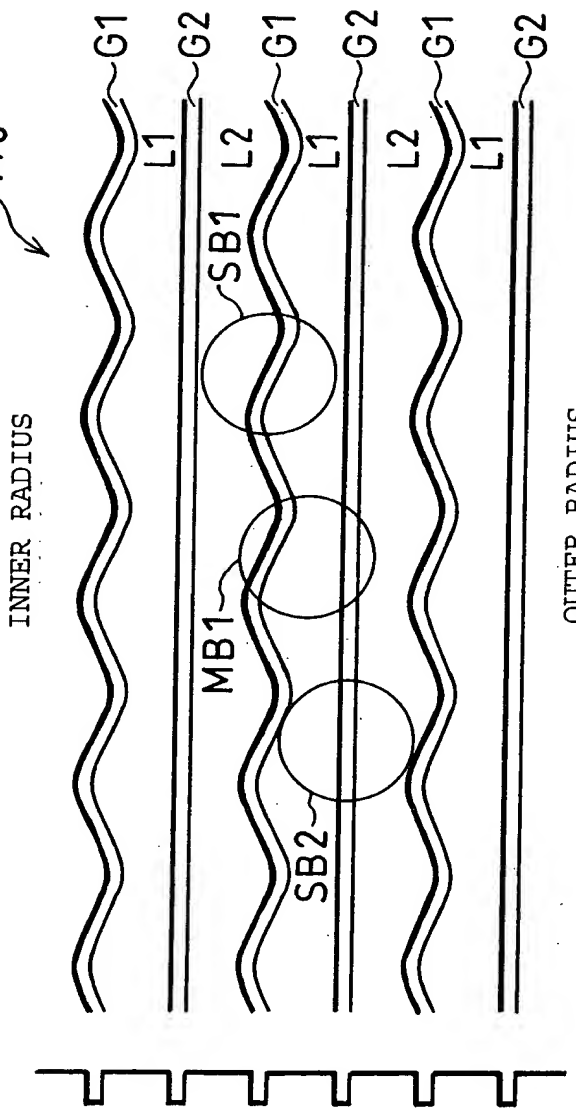
FIG.11



PRIOR ART

FIG. 12



PRIOR ART